

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA, ) 3:04-cr-00099-HDM-VPC  
12 Plaintiff, )  
13 vs. ) ORDER  
14 SALVADOR MENA-OROZCO, )  
15 Defendant. )  
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17 Rene L. Valladares, Federal Public Defender, and Nisha Brooks-  
18 Whittington, Assistant Federal Public Defender, have filed a motion  
19 to withdraw (#87) as defendant's counsel of record. The court  
20 received and reviewed the reduction of sentence report on defendant  
21 prepared by probation. The report concludes defendant is ineligible  
22 for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2),  
23 Amendment 782, and pursuant to U.S.S.G. § 1B1.10, effective  
24 November 1, 2014, as he was sentenced to the statutory minimum  
25 sentence and in accord with 21 U.S.C. § 851(a)(1).

26 The court appointed defendant counsel to determine whether he  
27 qualifies for a reduction of sentence. Based upon probation's  
28 report, counsel does not intend to file a motion for a reduction.

1 The court will therefore grant the motion to withdraw.

2 Before being granted counsel, defendant filed a motion (#82)  
3 seeking Discretionary Relief pursuant to 18 U.S.C. § 3582(c)(2).

4 The court does not find a response from the United States  
5 Attorney's office is necessary for a ruling on defendant's motion.

6 The defendant was sentenced to the statutory minimum sentence  
7 available and is therefore not entitled to a reduction.

8 Accordingly, defendant's motion to withdraw (#87) is **GRANTED**.

9 Furthermore, defendant's motion seeking Discretionary Relief  
10 pursuant to 18 U.S.C. § 3582(c)(2) (#82) is **DENIED**.

11 IT IS SO ORDERED.

12 DATED: This 18th day of March, 2015.

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15 UNITED STATES DISTRICT JUDGE

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